

REMARKS

This application has been reviewed in light of the Office Action dated November 16, 2007. By this amendment, Claims 1-7 and 16-17 have been cancelled without prejudice, and Claims 8-10 and 13-15 have amended. Claims 8-15 are pending in the application. No new matter has been added. The Examiner's reconsideration of the rejection in view of the amendment and the following remarks is respectfully requested.

Initially applicant acknowledges the Examiner's indication of allowable subject matter. In particular, Claim 9 has been objected to and would be allowable if re-written to include the limitations of the base claim and any intervening claims.

Regarding the remaining claims, the following objections and rejections are asserted in the pending Office Action.

Claims 1-6, 16 and 17 stand objected to.

Claims 1-6 and 16 stand rejection under 35 U.S.C. §101 as being directed to non-statutory subject matter.

Claims 1-8 and 10-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,108,006 to Hoppe (hereinafter "Hoppe") in view of "Exact Evaluation of Catmull-Clark Subdivision Surfaces at Arbitrary Parameter Values" to Jos Stam (hereinafter "Stam").

As noted above, Claims 1-7 and 16-17 have been cancelled, and Claims 8-10 and 13-15 have amended. In particular, allowable Claim 9 has been amended to now be in independent form and to include the limitations of the base claim (Claim 7) and any intervening claims (none). Claims 8, 10, and 13-15 have been amended to now depend from allowable Claim 9.

"If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious" (MPEP §2143.03, citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)).

Claims 8 and 10-15 depend from Claim 9 or a claim which itself is dependent from Claim 9 and, thus, includes all the elements of Claim 9. Accordingly, Claims 8 and 10-15 are patentably distinct and non-obvious over the cited references for at least the reasons set forth above with respect to Claim 9.


Thus, reconsideration of the objections and rejections is respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's IBM Deposit Account No. 50-0510.

Respectfully submitted,

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